

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 2274 - SB 2317**

February 12, 2016

**SUMMARY OF BILL:** Requires a seller of residential real property, excluding property transferred pursuant to Tenn. Code Ann § 66-5-209, to disclose in writing to a buyer, whether a radon test has occurred on the property; the most current records and reports pertaining to radon concentrations within the dwelling; a description of any radon concentrations, mitigation, or remediation in the dwelling; a radon warning statement; and any information known to the seller regarding the presence of radon in the dwelling prior to entering into a contract with a buyer. Specifies the language that is required to be included in a radon warning statement.

Authorizes a seller of residential real property to satisfy the radon disclosure requirement by providing a written discloser to a licensed real estate broker or affiliate broker representing or assisting a prospective buyer. Requires the broker or affiliate broker to provide a copy of the discloser to the prospective buyer.

States that the buyer of real residential property is entitled to any remedy pursuant to Tenn. Code Ann. § 66-5-208 (remedies for misrepresentation or nondisclosure), if the seller makes a material misrepresentation to the buyer regarding the disclosure of radon.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Requiring residential real property owners selling property to disclose radon information will not impact state government.
- Any fiscal impact resulting from this bill will occur between the private parties engaged in the transfer of residential property.
- According to the Administrative Office of the Courts, any increase in claims resulting from a material misrepresentation by owners on the disclosure of radon can be absorbed within existing resources.
- Any fiscal impact on local government is considered not significant.

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## **IMPACT TO COMMERCE:**

**NOT SIGNIFICANT**

Assumption:

- Requiring residential real property owners selling property to disclose radon information will not impact commerce or jobs in Tennessee.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/amj